

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE  
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

AMERICAN GENERAL LIFE  
INSURANCE COMPANY,

Plaintiff,

**V.**

FREIGHT PRO. INC., and  
THE ESTATE OF JAMES B.  
PINCKARD,

**Defendants.**

CIVIL ACTION NO.  
2:06cv151-MHT

## ORDER

The allegations of the plaintiff's complaint are insufficient to invoke this court's diversity-of-citizenship jurisdiction. The allegations must show that the citizenship of each plaintiff is different from that of each defendant. 28 U.S.C.A. § 1332.

The plaintiff's complaint fails to meet this standard. The plaintiff has sued defendant Estate of James B. Pinckard. "[T]he legal representative of the estate of a decedent shall be deemed to be a citizen only

of the same State as the decedent ...." 28 U.S.C.A. § 1332(c)(2). Because the complaint fails to set forth the citizenship of the decedent, the complaint does not adequately establish the ground for this court to assume jurisdiction of this matter.

It is therefore the ORDER, JUDGMENT, and DECREE of the court that the plaintiff has until March 8, 2006, to amend the complaint to allege jurisdiction sufficiently; otherwise this lawsuit shall be dismissed without prejudice.

DONE, this the 24th day of February, 2006.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE